

IDS/ #5
J 10.15.02
Patent
268/269

JC474 U.S. PRO
10/04651
10/19/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:) Group Art Unit: Not Yet Assigned
TERRY SMITH, M.D. et al.) Examiner: Not Yet Assigned
Serial No.: Not Yet Assigned)
Filed: Herewith)
For: DETECTION OF ANTIBODY MEDIATED)
INFLAMMATORY AUTO-IMMUNE)
DISORDERS)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

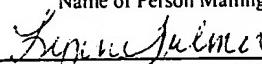
- This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

EL476730442US
Express Mail Label No.

July 26, 2001
Date of Deposit

Lynne Fulmer
Name of Person Mailing Paper

Signature of Person Mailing Paper-0

filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required. No copies of cited references are provided as they were cited in previous application serial no. 09/684,601, filed on October 6, 2000.

- However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
- However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
- This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.
 - The fee due under 37 CFR § 1.17(p) is submitted herewith.
 - A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
- This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

- Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- A check in the amount of _____ is enclosed for the above fee(s).
 Please charge _____ to Deposit Account No. **12-2475** for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. **12-2475**.

Respectfully submitted,
LYON & LYON LLP

By: 

Kurt T. Mulville
Reg. No. 37,194

Dated: July 26, 2001



22249

KTM/lf
LYON & LYON LLP
633 W. Fifth Street,
Suite 4700
Los Angeles, CA
90071
949/567-2300 X1124
Telephone
213/955-0440
Facsimile

<p>LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</p> <p>(Use several sheets if necessary)</p>	ATTY. DOCKET NO. 268/269	SERIAL NO. Not Yet Assigned
	APPLICANT: TERRY SMITH, M.D. et al.	
	FILING DATE: Herewith	PREVIOUS GROUP: 1644

.S. PATENT DOCUMENTS

U.S. PTO
JC 174 10/046651

FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

		Rotella et al. J. Clin. Endocrinol. Metabol. 1986 62:357-367
		Sciaky et al. J. Immunol. 2000 164:3806-3814
		Smith et al. Am. J. Pathol. 1997 151:317-322
		Lim et al. J. Immunol. 1996 156:2566-2570

OC-91927.1

OC-94855.1 EXAMINER: K. CANELLA	DATE CONSIDERED:
------------------------------------	------------------

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609;
 Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant